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VIA ELECTRONIC MAIL AND U.S. FIRST CLASS MAIL

Robert Guild, Esquire
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Re: Friends of the Earth and Sierra Club, Complainant/Petitioner v.
South Carolina Electric & Gas Company, Defendant/Respondent
Docket No. 2017-207-E

Request of the Office of Regulatory Staff for Rate Relief to South
Carolina Electric & Gas Company's Rates Pursuant to S.C. Code
Ann. § 58-27-920
Docket No. 2017-305-E

Joint Application and Petition of South Carolina Electric & Gas
Company and Dominion Energy, Incorporated for Review and
Approval of a Proposed Business Combination between SCANA
Corporation and Dominion Energy, Incorporated, as May Be
Required, and for a Prudency Determination Regarding the
Abandonment of the V.C. Summer Units 2 & 3 Project and
Associated Customer Benefits and Cost Recovery Plans
Docket No. 2017-370-E

Dear Bob:

I write in response to your July 30, 2018 letter to continue our efforts to resolve outstanding discovery issues in the above-captioned matter.

As you know, on June 25, 2018, the Hearing Officer determined that a protective order should govern the treatment of confidential and proprietary information produced by Defendant/Respondent South Carolina Electric & Gas Company ("SCE&G") to Complainants/Petitioners Friends of the Earth and Sierra Club (Order No. 2018-74-H, as clarified by Commission Order No. 2018-461). On July 12, 2018, the Hearing Officer entered a protective order, which is "intended to bind Friends of the Earth/Sierra Club as a Party or Parties, and any other Parties to the

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Dockets that may elect to receive confidential information from SCE&G or Dominion Energy in these Dockets" (Order No. 2018-83-H or the "Protective Order").

The Protective Order defines the scope of the protected material and sets forth the form and timing of designating documents as confidential. Order No. 2018-83-H, ¶¶ 1-3. Moreover, paragraph 6 of the Protective Order sets forth the process for challenging designations of documents as confidential, which requires that a party contending that documents designated as confidential are not entitled to confidential treatment must give written notice to the party who affixed the designation of the specific basis for the challenge. *Id.* at ¶ 6. The party who so designated then has seven (7) days from service of the written notice to determine if the dispute can be resolved without intervention or to move for an Order confirming the confidential designation. *Id.* The Protective Order includes no requirement that SCE&G produce a detailed log or schedule of any responsive documents claimed to be confidential, as you suggest, and SCE&G will not do so.

As we informed you on the meet and confer call on July 17 and again in the production cover letters dated July 26, certain information responsive to Friends of the Earth's discovery requests contains confidential information, and SCE&G has designated such documents as confidential pursuant to the Protective Order. SCE&G has upheld its discovery obligations by producing over 1 million pages of responsive information to you and has expended a considerable amount of time and effort to produce documents to you in the specific format you requested. SCE&G will continue to comply with the above-referenced orders and produce documents responsive to your discovery demands. To the extent, however, that the documents produced contain confidential information as defined in the Protective Order, SCE&G intends to continue to enforce the Protective Order to the fullest extent permitted by law. It is your own decision to not follow the terms of that Order or review the voluminous documents that have been produced to date.

Very truly yours,



K. Chad Burgess

KCB/kms

cc: All Parties of Record in Docket No. 2017-207-E
All Parties of Record in Docket No. 2017-305-E
All Parties of Record in Docket No. 2017-370-E
(all via electronic mail only)